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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/670,597	09/25/2003	Riku Mikko Mettala	KOLS.053PA	7489
7590 Hollingsworth & Funk, LLC Suite 125 8009 34th Avenue South Minneapolis, MN 55425			EXAMINER RAYYAN, SUSAN F	
			ART UNIT 2167	PAPER NUMBER
			MAIL DATE 12/04/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

5/11

Office Action Summary	Application No. 10/670,597	Applicant(s) METTALA ET AL.	
	Examiner Susan F. Rayyan	Art Unit 2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 August 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |


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DETAILED ACTION

1. In view of the pre-appeal brief filed on August 23, 2007, PROSECUTION IS HEREBY REOPENED. New grounds of rejection are set forth below.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

2. Claims 1-22 are pending.


JOHN COTTINGHAM
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 1-3,5, 10-14,16-17,19-22 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent Application Publication (2002/0099727) issued to Donald Kadyk et al ("Kadyk").

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As per claim 1 Kadyk anticipates:

A method of arranging data synchronization of at least one application in a networked system comprising at least one terminal (Figure 2:260), at least one synchronization server(Figure 2:210), a first database in the terminal (Figure 2:268), and a second database(Figure 2:218) (see Figure 2 and abstract) , the method comprising:

forming a configuration message (paragraph 47, as update notifications) comprising data (notifications contain at least changes and token, fig.2:290) required for the application data synchronization (paragraph 43 and figure 1: 136a, contact and calendar applications and paragraph 47, synchronize data), said data comprising settings of at least the second database (parg. 54, notification contain token which are unique to the server sending the notification);

transmitting said configuration message from the synchronization server to the terminal (paragraph 47, notifications are sent to the client, Figure 2, ref.no. 216 and 210);

storing said data to a memory medium (clients store the notifications as notifications , the notifications include changes and tokens Figure 2: 290 and ref.no.268);

retrieving at least a part of said data as a response to a need for a synchronization service (paragraph 55, a synchronization request from client to the server including receiving tokens back from the client and paragraphs 49-50);

initializing the synchronization using the a synchronization connection between the terminal and the synchronization server and at least part of said data retrieved from the memory medium (paragraph 49-50,55, a synchronization request from client to the server including receiving tokens back from the client) , and synchronizing data of at least the first database and the second database using at least part of said data (paragraph 50, as receives new collection and missing changes, the new collection contains all tokens necessary to represent the current state of the data).

As per claim 2 same as claim arguments above and Kadyk anticipates: wherein the settings of said at least second database comprise at least the name of the second database, the data on the content types supported, and an address, such a URI indicator, and at least said address is transmitted in the initialization of the synchronization session preceding the data synchronization from the terminal to the synchronization server as a response to the need to synchronize data of the second database (paragraph 43, as data types and paragraph 49, lines 1-6, as client issues synchronization request to server and server receives tokens, starting point and collections from client)

As per claim 3 same as claim arguments above and Kadyk anticipates: wherein said data further comprises user text, and the user text is displayed to the user of the terminal (paragraph 22, display representative amount of message).

As per claim 5 same as claim arguments above and Kadyk anticipates: wherein said configuration message comprises at least one field which defines whether said data is new, replacing previous data or complementary (paragraph 32, as token identifies data and region that the data represents).

Claim 16 is rejected under the same rationale as claim 3 arguments.

Claims 10,12,14,19-22 are rejected under the same rationale as claim 1 arguments.

Claims 11,13,17 are rejected under the same rationale as claim 2 arguments.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application Publication (2002/0099727) issued to Donald Kadyk et al ("Kadyk") in view of US Patent Number 6,308,201 issued to Alvin Pivowar et al ("Pivowar").

As per claim 9 same as claim arguments above and Kadyk does not teach wherein said data comprises settings of a plurality of databases, and data of at least the first database and said plurality of databases is synchronized using at least part of said data. Pivowar teaches this limitation (paragraph 6, lines 20-26) to promote organization among multiple different users. It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify with Kadyk with wherein said

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data comprises settings of a plurality of databases, and data of at least the first database and said plurality of databases is synchronized using at least part of said data to synchronize data between a plurality of different PDAs to promote organization among multiple different users as described by Pivowar (column 2, lines 9-11).

Claims 4, 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application Publication (2002/0099727) issued to Donald Kadyk et al (“Kadyk”) in view of US 6,643,669 issued to Novak et al (“Novak”).

As per claim 4 same as claim arguments above and Kadyk does not explicitly teach wherein said data further comprises settings defining the timing of the synchronization, and the formation of the synchronization connection and the initialization of the synchronization is started from the terminal at the moment of time according to said settings however Novak does teach this limitation at col.3, line 57 to col.4, line 2 to enable the process to be carried out in a faster manner. It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Kadyk with wherein said data further comprises settings defining the timing of the synchronization, and the formation of the synchronization connection and the initialization of the synchronization is started from the terminal at the moment of time according to said settings to enable the process to be carried out in a faster manner as described by Novak at col.1, lines 45-55.

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Claim 15 is rejected under the same rationale as claim 4 arguments.

Claims 6-8,18 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application Publication (2002/0099727) issued to Donald Kadyk et al in view of US 2002/0081995 issued to Leppinen et al ("Leppinen").

As per claim 6 same as claim arguments above and Kadyk does not explicitly teach wherein said configuration message is an XML document in a binary or text format. Leppinen does teach this limitation at parg. 7, lines 8-11 and parg. 15 to conveniently share data among different users. It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Kadyk with wherein said configuration message is an XML document in a binary or text format to conveniently share data among different users as described by Leppinen at paragraph 6.

As per claim 7 same as claim arguments above Kadyk does not explicitly teach wherein said configuration message is transmitted using one or more of the following protocols: SMS, OBEX, HTTP, or WAP (wireless application protocol). Leppinen does teach this limitation (at abstract) to conveniently share data among different users It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Kadyk with wherein said configuration message is transmitted using one or more of the following protocols: SMS, OBEX, HTTP, or WAP to conveniently share data among different users as described by Leppinen at paragraph 6.

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As per claim 8 same as claim arguments above and Kadyk does not explicitly teach wherein the data transmission between the synchronization server and the wireless terminal is based on the WAP protocol stack and the initialization of the synchronization session and the synchronization is based on the SyncML synchronization protocol performed on top of the WAP protocol stack. Leppinen does teach this limitation at pargs. 7-8,13 to conveniently share data among different users It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Kadyk with wherein the data transmission between the synchronization server and the wireless terminal is based on the WAP protocol stack and the initialization of the synchronization session and the synchronization is based on the SyncML synchronization protocol performed on top of the WAP protocol stack to conveniently share data among different users as described by Leppinen at paragraph .6.

Claim 18 is rejected under the same rationale as claim 8 arguments.

Response to Arguments

4. Applicant's arguments with respect to claims 1-22 have been considered but are moot in view of the new ground(s) of rejection.

Contact Information


5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Rayyan whose telephone number is (571) 272-1675. The examiner can normally be reached M-F: 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on (571) 272-7079. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Susan Rayyan

November 24, 2007


JOHN COTTINGHAM
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100